

REMARKS

Claims 1-14 now stand in the application, new claims 13 and 14 having been added. Applicants acknowledge with appreciation the indication of allowable subject matter in claims 2-6 and 8-10, but respectfully request reconsideration of the application and allowance of all claims in view of the above amendments and the following remarks.

In his only rejection, the examiner has rejected claims 1, 7, 11 and 12 as unpatentable over Weiss (USP 3,371,212) in view of Fischer et al. This rejection is respectfully traversed.

Weiss is directed to a camera, and it fails to teach certain significant features of the present claims. As to the proposed combination of Weiss and Fischer et al, there would have been no motivation for a person of skill in the camera art to change the camera to use coherent laser light as in Fischer. The motivation given by the examiner is to keep the optical frequency used for transmission freely selectable within a wide range, but that has no applicability to the camera of Weiss. The examiner has taken a secondary reference which teaches coherent light in a different setting and for a purpose which has no applicability to the primary reference, and alleged it would have been obvious to adopt the coherent light feature in the primary reference when there would have been no reason to do so other than to satisfy the present claim language. This is clearly a rejection based only on hindsight, and is improper.

Further, aside from the coherent light issue, the examiner has not explained how he reads the present claim language on the Weiss structure. It appears that he may consider the primary mirror 12 to be the claimed annular output aperture. But the primary mirror is also the receiving reflecting surface. In other words, the transceiver of the present invention I just that, a

transceiver which transmits and receives. It has a receiving reflecting surface for receiving and an output aperture for transmitting. These are not present in Weiss, with the output aperture being outside of the receiving surface. Note that claims 11 and 12 recite that the output aperture outside of the receiving reflecting surface results in spatial separation of the light to be transmitted from the received signal. This is not the case in Weiss.

This spatial separation is clearly inherent in claims 1 and 7 as they should be properly interpreted, but new claims 13 and 14 are added to clarify this in the event that the examiner is interpreting the claims in some manner that applicants believe would be unreasonable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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